

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

LEA SEVEY, Civil. No. 03-137-CO

Plaintiff, Order

v.

STATE OF OREGON, et al.,

Defendants.

Magistrate Judge John P. Cooney filed Findings and Recommendation on August 25, 2005 in the above entitled case. The matter is now before the court pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When either party objects to any portion of a magistrate judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

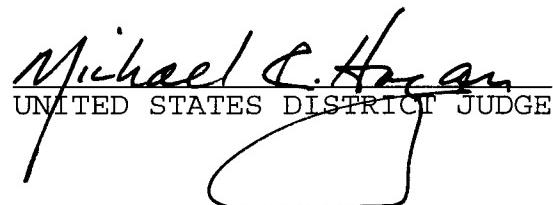
Plaintiff timely filed objections. The court has,

therefore, given de novo review of Judge Cooney's rulings.

Finding no error, the court adopts the Findings and Recommendation filed August 25, 2005 [#103] in its entirety. Curry County's assertion that Judge Cooney ignored its argument that it is not plaintiff's employer under federal law is mistaken. See F&R at 17. Curry County's motion for summary judgment [#90] is denied.

IT IS SO ORDERED.

DATED this 2nd day of November, 2005.


Michael C. Hogan
UNITED STATES DISTRICT JUDGE